



OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.A.  
DAVID RAIZMAN, CA Bar No. 129407  
david.raizman@ogletreedeakins.com  
AMBER L. ROLLER, CA Bar No. 273354  
amber.roller@ogletreedeakins.com  
400 South Hope Street, Suite 1200  
Los Angeles, CA 90071  
Telephone: 213.239.9800  
Facsimile: 213.239.9045

Attorneys for Defendant  
JOE'S UNION L.P.; THE RIVIERA LLC; JAMES A. MACIEL,  
JR.; GREGORY A. MACIEL; BARRY MACIEL; PETER R.  
JOHNSON; GAIL A. GAVELLO; CHARLENE MARIE OZAWA;  
and GEORGIA VIERRA

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

FRANCISCA MORALES,

Plaintiff,

v.

JOE'S UNION L.P. dba ORIGINAL JOE'S;  
THE RIVIERA LLC; JAMES A. MACIEL,  
JR.; GREGORY A. MACIEL, individually  
and as Trustee of the BARRY MACIEL  
TRUST; BARRY MACIEL; PETER R.  
JOHNSON, Trustee of the KRISTINA  
GAVELLO MARITAL TRUST; GAIL A.  
GAVELLO, Trustee of the GAIL A.  
GAVELLO 2009 REVOCABLE TRUST  
AGREEMENT dated July 2, 2009;  
CHARLENE MARIE OZAWA; MIKE  
MICHELETTI; JOYCE JAMES; GEORGIA  
VIERRA,

Defendants.

Case No. 3:16-cv-06345-TEH

**SECOND STIPULATION TO EXTEND  
TIME FOR DEFENDANTS TO RESPOND  
TO PLAINTIFF'S COMPLAINT**

Old Response Date: December 28, 2016;  
New Response Date: January 30, 2017

Complaint Filed: November 1, 2016  
Trial Date: None  
Judge: Hon. Thelton E. Henderson  
Dept. 12, San Francisco

1 IT IS HEREBY STIPULATED AND AGREED by and between plaintiff Francisca  
2 Moralez ("Plaintiff") and defendants Joe's Union L.P.; The Riviera LLC; James A. Maciel, Jr.;  
3 Gregory A. Maciel; Barry Maciel; Peter R. Johnson; Gail A. Gavello; Charlene Marie Ozawa; and  
4 Georgia Vierra ("Defendants") (collectively, the "Parties"), by and through their respective  
5 attorneys of record, as follows:

6 WHEREAS, on November 1, 2016, Plaintiff filed her Complaint in the United States  
7 District Court, Northern District of California, Case Number 3:16-cv-06345, alleging three causes  
8 of action, including violations of the Americans With Disabilities Act of 1990; Unruh Act; and  
9 Denial of Full and Equal Access to Public Facilities;

10 WHEREAS, the Parties previously stipulated to a 30-day extension of the deadline for  
11 Defendants to file and serve their responsive pleading, which extended such deadline to December  
12 28, 2016, while the Parties explored early resolution of the matter before Defendants spent the  
13 necessary time and resources preparing and filing a responsive pleading;

14 WHEREAS, the Parties are currently in the end-stages of settlement negotiations that, if  
15 successful, will resolve this matter in its entirety;

16 WHEREAS, Plaintiff and Defendants have stipulated to a second 30-day extension of the  
17 deadline for Defendants to file and serve their responsive pleading, which extends such deadline to  
18 January 30, 2017, to allow the Parties to continue to negotiate for resolution of the matter in its  
19 entirety and prepare and execute settlement documents;

20 WHEREAS, this extension will not alter the date of any event or deadline already fixed by  
21 Court order and is made pursuant to Local Rule 6-1(a); and

22 WHEREAS, the Parties agree that this Stipulation and the extension of time for Defendants  
23 to respond to the Complaint shall be without prejudice to any claims, defenses or rights that any  
24 party may have regarding the Complaint or any other matter in this action.

25 THEREFORE, the Parties hereby stipulate that the deadline for Defendants to file and serve  
26 their responsive pleading to Plaintiff's Complaint shall be continued to January 30, 2017.

27 **IT IS SO STIPULATED.**

28 ///

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2  
3 DATED: December 29, 2016  
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Respectfully submitted,  
MOORE LAW FIRM, P.C.

6 By: /s/ Tanya Moore  
Tanya Moore

7 Attorney for Plaintiff  
8 FRANCISCA MORALES  
9

10 DATED: December 29, 2016  
11

OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.

12  
13  
14 By: /s/ Amber L. Roller  
David Raizman  
Amber L. Roller  
15

16 Attorneys for Defendant  
17 JOE'S UNION L.P.; THE RIVIERA LLC;  
18 JAMES A. MACIEL, JR.; GREGORY A.  
MACIEL; BARRY MACIEL; PETER R.  
JOHNSON; GAIL A. GAVELLO; CHARLENE  
MARIE OZAWA; and GEORGIA VIERRA  
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20 **Certification Pursuant to Local Rule 5-1(i)(3)**

21 Pursuant to Local Rule 5-1(i)(3), I, Amber L. Roller, do attest that all signatories listed, and  
22 on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.  
23

24 Dated: December 29, 2016

By: /s/ Amber L. Roller  
25  
26  
27  
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1 **CERTIFICATE OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the County of Los Angeles, State of California; I am over the age of 18  
4 years and not a party to this action. My business address is 400 S. Hope Street, Suite 1200,  
Los Angeles, California 90071.

5 On December 29, 2016, I served the following document(s) described as:

6 **SECOND STIPULATION TO EXTEND TIME FOR**  
7 **DEFENDANTS TO RESPOND TO PLAINTIFF'S**  
8 **COMPLAINT**

9 With the Clerk of the United States District Court of Northern District of California, using the  
10 CM/ECF System. The Court's CM/ECF System will send an e-mail notification of the foregoing  
filing to the following parties and counsel of record who are registered with the Court's CM/ECF  
System:

11 Tanya E. Moore, Esq.  
12 Zachary M. Best, Esq.  
MOORE LAW FIRM, P.C.

Attorneys for Plaintiff

13 332 North Second Street  
San Jose, California 95112  
Telephone: (408) 298-2000  
Facsimile: (408) 298-6046  
14 Email: service@moorelawfirm.com

Francisca Moralez

15 ☒ (Federal) I declare that I am employed in the office of a member of the Bar of this  
16 Court at whose direction the service was made. I declare under penalty of  
perjury under the laws of the United States of America that the above is true  
and correct.

17 Executed on December 29, 2016, at Los Angeles, California.

18 Tisa Hunter

19 Type or Print Name

Signature

*Tisa Hunter*

20 \* (SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX OR BAG)